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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,802	10/17/2000	Petteri Putkiranta	042933/321132	1591
826 7590 05/06/2009 ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER HO, HUY C	
			ART UNIT	PAPER NUMBER
			2617	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/646,802

**Applicant(s)**

PUTKIRANTA, PETTERI

**Examiner**

HUY C. HO

**Art Unit**

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/11/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/IC)
- Paper No(s)/Mail Date 09/16/2008.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. In response to applicant's argument 12/11/2008, the age of reference Hose (US 7,024,205) is not qualified as a prior art reference. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Buhrmann et al. (5,950,125) and further in view of Takeshi et al. (JP 09-130861).

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 5 recites the limitation "the" in memory means adapted so as to store the information. There is insufficient antecedent basis for this limitation in the claim. Correction is required.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

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1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Reference Takeshi (JP 09-130861) used in the rejection below was provided by the Applicant in the Information Disclosure Statement.

**6. Claims 1-5 and 7-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Buhrmann et al. (5,950,125)** and further in view of **Takeshi et al. (JP 09-130861)**.

Consider claim 1, (Currently Amended) Buhrmann discloses a communications system having base stations for providing mobile stations with communications links and at least one localized service area (see the abstract), comprising:

a service server which is arranged to maintain information concerning the location of mobile stations in localized service areas and to generate requests for changing the service selection offered to mobile stations in response to receiving, from the mobile stations, mobile station generated messages describing the location of the mobile stations in relation to localized service areas (see Buhrmann, the abstract, col 1 lines 45-60, col 2 lines 1-67, col 7 lines 5-15, location-dependent cellular service profile system providing database for storing services profiles and providing services to users in different user zones);

means for changing the service selection offered to a mobile station by the communications system in response to an indication of the arrival of the mobile station in said localized service area, which indication is a message generated by said mobile station (Buhrmann, col 2 lines 1-67, col 3 lines 10-25, modifying services for mobile stations in user zones).

Buhrmann teaches the mobile device recognizes a local service area, i.e., the user zone, when it comes to the area (see col 3 lines 13-16, col 16 lines 6-11, 23-28), thus Buhrmann discloses an

indication of arrival of the mobile device in the local service area, however, Buhrmann does not show a message is generated by a mobile device separated from obligatory location updates when roaming in a cellular network. Takeshi teaches service information providing system where disclosing a mobile terminal notifies of its location to an information server so the server provides services to the mobile terminal accordingly (see Takeshi, paragraph [15], [19]), therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann by combining teachings of Takeshi that a mobile terminal notifies its location to an information server so the server provides services to the mobile terminal accordingly, so as to have the mobile terminal initially sends its current location information to a service provider server for providing desired services to it accordingly.

**Consider claim 5,** (Currently Amended) Buhrmann discloses a cellular mobile station having a control block **(the abstract)**, comprising:

memory means adapted so as to store the information required for recognizing a localized service area on which localized services are controlled by a services server (col 3 lines 10-17, col 16 lines 5-27, disclosing a mobile device receives a location identifier when it is in a new user zone on its display);

wherein the mobile station is adapted so as to send a notification of its arrival in the localized service area to the services server in response to the recognition of the localized service area, said notification being intended as an impulse for changing the service selection offered to the mobile station (Buhrmann, col 2 lines 1-67, col 3 lines 10-25).

Buhrmann teaches the mobile device recognizes a local service area, i.e., the user zone, when it comes to the area (see Buhrmann, col 3 lines 13-16, col 16 lines 6-11, 23-28), thus Buhrmann discloses an indication of arrival of the mobile device in the local service area, however, Buhrmann does not show a message is generated by a mobile device separated from obligatory location updates when roaming in a cellular network. Takeshi teaches service information providing system where disclosing a mobile terminal notifies of its location to an information server so the server provides services to the mobile terminal accordingly (see Takeshi, paragraph [15], [19]), therefore it would have

been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann by combining teachings of Takeshi that a mobile terminal notifies its location to an information server so the server provides services to the mobile terminal accordingly, so as to have the mobile terminal initially sends its current location information to a service provider server for providing desired services to it accordingly.

**Consider claim 7, (Currently Amended)** Buhrmann discloses a method for changing the service selection offered to a mobile station in a communications system that has base stations for providing mobile stations with communications links **(the abstract)**, comprising:

receiving from the mobile station a message that is indicating that the mobile station has detected that it is in the localized service area **(see Buhrmann the abstract, col 1 lines 45-60, col 2 lines 1-67, col 7 lines 5-15, location-dependent cellular service profile system providing database for storing services profiles and providing services to users in different user zones);**

generating information about the arrival of a mobile station in a localized service area **(Buhrmann, col 1 lines 64-67, col 2 lines 1-67); and**

changing the service selection offered to said mobile station by the communications system **(Buhrmann, col 2 lines 1-67, col 3 lines 10-25).**

Buhrmann teaches the mobile device recognizes a local service area, i.e., the user zone, when it comes to the area **(see Buhrmann, col 3 lines 13-16, col 16 lines 6-11, 23-28)**, thus Buhrmann discloses an indication of arrival of the mobile device in the local service area, however, Buhrmann does not show a message is generated by a mobile device separately/distinctly from obligatory location updates when roaming in a cellular network. Takeshi teaches service information providing system where disclosing a mobile terminal notifies of its location to an information server so the server provides services to the mobile terminal accordingly **(see Takeshi, paragraph [15], [19])**, therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann by combining teachings of Takeshi that a mobile terminal notifies its location to an information server so the server provides services to the mobile terminal accordingly, so

as to have the mobile terminal initially sends its current location information to a service provider server for providing desired services to it accordingly.

**Consider claim 2,** (Previously Presented) Buhrmann, as modified by Takeshi, further discloses the communications system of claim 1, comprising:

an application server to provide mobile stations with different services in response to a request generated by the service server for changing the service selection (col 2 lines 1-67, col 3 lines 10-25).

**Consider claim 3,** (Previously Presented) Buhrmann, as modified by Takeshi, further discloses the communications system of claim 2, wherein said service server is the same as said application server (col 2 lines 1-67, col 3 lines 10-25).

**Consider claim 4,** (Previously Presented) Buhrmann, as modified by Takeshi, further discloses the communications system of claim 1, wherein it is adapted so as to change a localized service selection offered to a mobile station in response to a notification sent by the mobile station on its arrival in a localized service area (col 2 lines 1-67, col 3 lines 10-25).

**Consider claim 8,** (Previously Presented) Buhrmann, as modified by Takeshi, further discloses The method of claim 7, wherein in response to the information about the arrival of a mobile station in a localized service area a predetermined additional service is offered to the mobile station (col 2 lines 25-55, col 7 lines 15-67).

**Consider claim 9,** (Previously Presented) Buhrmann, as modified by Takeshi, further discloses The method of claim 8, wherein said additional service involves the sending of announcements to the mobile station (col 2 lines 25-55, col 7 lines 15-67).

**Consider claim 10,** (Previously Presented) The method of claim 7, Buhrmann, as modified by Takeshi, further discloses wherein in response to the information about the arrival of a mobile station in a localized service area the quantity of services offered to the mobile station by the communications system is reduced (col 9 lines 1-62).

**Consider claim 11,** (Currently Amended) The method of claim 7, Buhrmann, as modified by Takeshi, further discloses:

communicating a message indicating the arrival of a mobile station in a localized service area

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to a service server (col 2 lines 1-67, col 3 lines 10-25);

checking what services should be offered to the mobile station in that localized service area (col 2 lines 1-67, col 3 lines 10-25);

communicating a request for the services to be offered to an application server providing the services (col 2 lines 1-67, col 3 lines 10-25); and

providing, by the application server, a service to the mobile station (col 2 lines 1-67, col 3 lines 10-25).

**Consider claim 12**, (Currently Amended) Buhrmann, as modified by Hose, further discloses the method of claim 11, wherein:

communicating a request to an application server comprises:

communicating the request for the services to be offered to at least two application servers providing services (col 2 lines 1-67, col 3 lines 10-25), and

providing, by the application server, a service to the mobile station comprises:

providing, by each application server to which the request for the services to be offered was made, a service to the mobile station (col 2 lines 1-67, col 3 lines 10-25).

7. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Buhrmann et al.** (5,950,125) in view of **Takeshi et al.** (JP 09-130861) and further in view of **Alperovich et al.** (5,819,180).

**Consider claim 6**, (Previously Presented) Buhrmann, as modified by Takeshi, does not show the mobile station of claim 5, wherein said memory means is located in a removable memory unit. Alperovich teaches telecommunications network based upon mobile subscriber's location and discloses SIM card is used as a detachable memory for storing necessary subscriber information (see **Alperovich**, col 1 lines 15-35, col 3 lines 5-40), thus Alperovich discloses a removable memory unit, and therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann, as modified by Takeshi, by combining teachings of Alperovich of a mobile device uses a SIM card as a removable memory unit for storing necessary



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information so make the mobile device replaceable when needed with the necessary information is still preserved and protected in the removable SIM card.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY C. HO whose telephone number is (571)270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Huy C Ho/  
Examiner, Art Unit 2617

/Patrick N. Edouard/  
Supervisory Patent Examiner, Art Unit 2626